

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PSYCHOLOGICAL EXAMINERS
DOCKET NO.

FILED WITH THE BOARD OF
PSYCHOLOGICAL EXAMINERS
ON MAY 12 1999

IN THE MATTER OF THE SUSPENSION)	
OR REVOCATION OF THE LICENSE OF)	Administrative Action
)	
MARSHALL E. LEVINE, Ph.D.)	REINSTATEMENT ORDER
)	
LICENSED TO PRACTICE PSYCHOLOGY)	
IN THE STATE OF NEW JERSEY)	
)	

This matter was opened to the New Jersey State Board of Psychological Examiners ("Board") upon the filing of an application for reinstatement of licensure by Theodosia A. Tamborlane, Esq., counsel for Marshall E. Levine, Ph.D. The application was supported by documents attesting to the rehabilitation of Dr. Levine with respect to the charges leading to the revocation of his license by Final Order of the Board entered on February 27, 1995. The supporting documents included information verifying that Dr. Levine had complied with all terms and conditions of the Board's Final Order of February 27, 1995 as well as information pertaining to psychological/psychiatric therapy and professional competence. Dr. Levine also submitted to a psychological evaluation upon referral from the Board to Philip H. Witt, Ph.D., whose Psychological Report dated February 25, 1999, recommended reinstatement of licensure with conditions. Further, Dr. Levine personally appeared before the Board on March 22, 1999 with counsel, Doreen A. Kunz, Esq., in order to answer any further questions posed by Board members.

The Board thoroughly reviewed the entire record before it and after diligent deliberations determined to enter a Reinstatement Order as follows:

IT IS, THEREFORE, ON THIS 10th DAY OF MAY, 1999,
HEREBY ORDERED THAT:

1. The license of Marshall E. Levine, Ph.D. to practice psychology in the State of New Jersey shall be reinstated effective upon entry of the within Order and payment of the license renewal and reinstatement fees. Such reinstatement shall be expressly contingent upon continuing compliance with all terms and conditions contained in the within Order.

2. Dr. Levine shall practice psychology only under the supervision of a New Jersey licensed psychologist approved by the Board. The Board has preliminarily approved David Handelman, Ed.D. as supervisor based upon the submission of his name and curriculum vitae by Dr. Levine, pending final approval by the Board after the appearance of Dr. Levine and Dr. Handelman at the next Board meeting scheduled for May 24, 1999.

In the event Dr. Handelman declines to accept the role and responsibility of supervisor for Dr. Levine, Dr. Levine may submit names of other proposed supervisors (with copies of their curriculum vitae). Dr. Levine shall not commence the practice of psychology until he has received written approval from the Board of one of the proposed supervisors. In the event Dr. Levine is unable to obtain a supervisor, he may request that the Board make recommendations for an approved supervisor.

3. Dr. Levine shall be limited in his practice of psychology to no more than ten (10) patient contact hours per week. Further, Dr. Levine shall be prohibited from treating women patients. He shall be required to obtain two (2) hours of face-to-face supervision for every ten (10) patient contact hours or any fraction thereof.

During the first six (6) months of supervision, Dr. Levine shall cause the approved supervisor to submit monthly reports to the Board commencing the first day of the month following the entry date of the within Order. The supervisor's reports shall provide an informed evaluation of Dr. Levine's patient treatment and professional practice and shall include information concerning the source of referral for Dr. Levine's patients. In addition, the supervisor shall provide an evaluation to the Board of not only Dr. Levine's clinical work but also his business arrangements such as billing and advertising practices, the employment and professional status of any individuals who work in his practice and oversight of Dr. Levine's relationships with both employees and patients. After the expiration of the first six (6) months, the supervisor shall provide quarterly reports to the Board concerning the supervision of respondent's practice. However, if the supervisor's reports during the initial six (6) month period cause concern in regard to Dr. Levine's professional practices, the Board, at its discretion, may request the continuation of monthly reports.

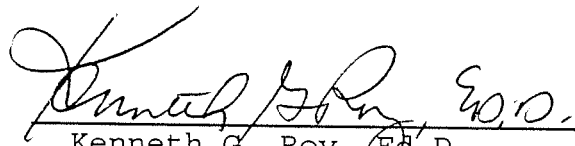
4. The Board may, in its discretion, require that Dr. Levine submit a work sample concerning one of his patients after one (1) year of supervision has taken place. In addition, the Board may require Dr. Levine to appear before the Board for an oral interview concerning the work sample.

5. All costs associated with the supervision and other terms of reinstatement as outlined in this Order shall be paid by Dr. Levine.

6. It is expressly understood and agreed that continued licensure with restrictions as ordered herein is contingent upon strict compliance with all of the aforementioned conditions. Upon the Board's receipt of any information indicating that any term of the within Order has been violated in any manner whatsoever, a hearing shall be held on short notice before the Board or before its representative authorized to act on its behalf. The proofs at such a hearing shall be limited to evidence of the particular violation at issue.

7. Dr. Levine may apply for modification of the terms and conditions of the within Order no sooner than one (1) year from the entry date herein.

8. The within Order shall supersede the Board's Final Order of February 27, 1995 to the extent that the terms of this Order are inconsistent with the prior Order.


Kenneth G. Roy, Ed.D.
Chair
Board of Psychological Examiners